

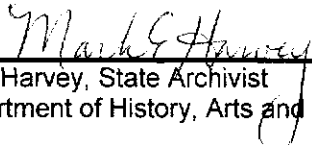
## General Records Retention and Disposal Schedule #16 - Michigan Trial Courts


This retention and disposal schedule replaces the schedule that was approved on August 7, 2001 for Michigan trial courts.

This retention and disposal schedule covers records that are commonly found in **trial courts**. The records that are described on the attached pages are deemed necessary (1) for the continued effective operation of Michigan government, (2) to constitute an adequate and proper recording of its activities, and (3) to protect the legal rights of the government of the State of Michigan and of the people. We, the undersigned, believe that this schedule meets the administrative, legal, fiscal, and archival requirements of the State of Michigan.

  
\_\_\_\_\_  
Carl L. Gromek, Chief of Staff/State Court Administrator  
State Court Administrative Office  
8-14-06  
(Date)

  
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**APPROVED**

NOV 8 2006  
\_\_\_\_\_  
State Administrative Board  
11/8/2006  
(Date)

## **GENERAL SCHEDULE #16 MICHIGAN TRIAL COURTS INTRODUCTION**

This records Retention and Disposal Schedule lists the records that are created and maintained by Michigan trial courts, for what period they are to be retained, and when those records can be disposed of. Information regarding how to maintain these records and how to dispose of them once the retention period expires is provided in the Case File Management Standards. **This schedule must be used in conjunction with the Michigan Trial Court Case File Management Standards.**

Michigan law (MCL 399.5 and 750.491) requires that all public records be listed on an approved Retention and Disposal Schedule that identifies the minimum amount of time that records must be kept to satisfy administrative, legal, fiscal, and historical needs. Courts may destroy these records or transfer them to the Archives of Michigan for permanent preservation at the end of the assigned retention period. Unless a statute or court rule prescribes otherwise, a court may retain records longer than the specified period of time. Any record not contained on this list or not having a statutory retention period may not be disposed of without first submitting a list or schedule required by MCL 399.5 or securing an amendment to this schedule.

Records can exist in a wide variety of formats, including paper, photographs, digital images, e-mail messages, databases, etc. The retention periods listed on this schedule do not specify the format that the record may exist in because records exist in different media. Each court is responsible for ensuring that its records are properly retained and remain accessible during this entire retention period. Various laws, including the Records Reproduction Act (MCL 24.401-24.406), identify acceptable formats for retaining public records. The courts are responsible for understanding and complying with these laws insofar as they do not conflict with this schedule and the Michigan Trial Court Case File Management Standards.

### **A. Retention of Court Records – Original Records and Suitable Duplicate Records.**

This schedule specifies the required retention periods for trial court records in both original form and suitable duplicate form as well the minimum time frame for maintaining court records in their original form. An original record is usually paper (such as a pleading filed by a litigant), but may be electronic (such as a register of actions created on the case management system). A suitable duplicate record [MCL 600.2137(2), (5)] is a human-readable copy, which means the duplicate record is either paper or microfilm; digital imaging does not meet the definition of a human-readable copy. The register of actions is not a duplicate record (copy) of any other record or document.

Pursuant to MCL 600.2137(1), an original circuit court record, district court record, and municipal court record must be maintained in its original form for at least 6 years from the time that record is filed or created. Pursuant to MCL 600.2137(2) and this schedule,

an original probate court record must be maintained in its original form as follows: 1) the original file of an estate proceeding (as defined below) must be maintained in its original form for at least 6 years from the date of filing of the discharge of the fiduciary or until 10 years have elapsed from the filing of the last document, whichever date occurs first; 2) the original file of a guardianship proceeding that does not involve the estate of the individual must be maintained in its original form for at least 6 years from the date of creation or until 2 years after the date of discharge of fiduciary or administrative closure, whichever is longer; 3) the original file of a mental illness proceeding must be maintained in its original form for at least 6 years from the date of creation or until 2 years after expiration of the last order, whichever is longer; and 4) wills filed for safekeeping must be maintained in their original form for at least 82 years. For purposes of this schedule, "estate proceedings" as mentioned in MCL 600.2137(2) means all proceedings where an estate is involved, including decedent estate, determination of heirs – separate proceeding, small estate, trust, conservatorship, and guardianship of estate of developmentally disabled person. [MCL 600.2137(1), (2), MCL 691.1101]

## **1. Creating Duplicate Records to Replace Original Court Records for Long-Term Retention**

A retention period greater than 10 years is considered long-term retention. To ease storage conditions, once the time frame for maintaining court records in their original form has passed as required in MCL 600.2137(1) and (2) and as prescribed by this schedule, courts may want to consider creating a suitable duplicate record (microfilming) of any original court record that has a long-term retention period. If a court chooses to microfilm original court records pursuant to the Records Reproduction Act (MCL 24.401-24.406) for long-term retention, the original court records must be maintained in their original form until the expiration of the time frame required in MCL 600.2137(1) and (2) and as prescribed by this schedule, even when the records are microfilmed before that time. If a court chooses to produce digital images of original court records, the original court records may not be destroyed until after the full retention period expires or until the records have been microfilmed and the time frame required in MCL 600.2137(1) and (2) and this schedule has passed. Microfilming must conform to the policies, standards, and guidelines published by the Michigan Department of History, Arts, and Libraries.

Before microfilming, several rules must be followed: 1) all confidential documents or any documents containing confidential information must be microfilmed separately from the rest of the records, and 2) if registers of action are placed in a case file, they should be removed and microfilmed separately. Once the full retention period for a record has expired, the microfilm of that record can be destroyed. This should be kept in mind before microfilming so that records can first be organized in a practical manner. Courts must ensure that microfilmed images are capable of being printed.

Although microfilm has a long life, it is subject to deterioration. It is essential that courts periodically check microfilmed records to ensure the integrity of the film, especially for records that must be kept longer than 25 years. It may be necessary to re-microfilm permanent records.

## **2. Creating Duplicate Probate Court Records to Supplement Original Court Records**

For security purposes, testamentary documents of deceased persons, bonds, orders, and such other documents as the court directs must be copied by microfilming or other means promptly after filing or issuance and preserved in the records of the court separately from the files. The retention period for these records is the same as the original record. These duplicate records do not replace the original record or a duplicate record made to replace the original record as described in item 1 above. [MCR 8.302]

## **3. Electronic Records**

Records include both paper and electronic files. Whoever is providing an automated system for the court (including the friend of the court office or the probation department) must comply with this schedule. In instances where databases are shared between the court and another agency, the following rules apply:

- a. When a court is the source of a record (enters information into the system) that is used by the court, then that record is considered a court record and the court shall ensure that the provider of the system (whether under the authority of the court or another agency) complies with the retention schedule for court records.
- b. When the provider of the system is not under the authority of the court and is the source of the record (enters information into the system), then that record shall be considered a record of the provider of the system and the provider may use its own retention schedule. If the court makes a hard copy of the record or uses the record to perform its responsibilities, it is subject to the retention schedule for court records of that type.
- c. In the event of a conflict concerning ownership of a record, the court shall ensure that the provider of the system will retain records for at least the time required by the retention schedule for court records.
- d. In the event the court moves, copies, or otherwise enters information from the system provider's database electronically into a data field that the court is responsible for maintaining or uses such information within the system to carry out a function of the court, the court shall ensure that the record is subject to the retention schedule for court records.

#### **4. Case Records**

Retention periods for the various types of case records are listed in this schedule. Any record filed in a specific case file or stored separately from the case file for convenience purposes (with the exception of the register of actions) becomes a record of that case and is to be retained for the retention period for that case type. Any other records (such as stenographic notes, tapes, case evaluations, and mediation documents) maintained separately from the case file have separate retention periods.

#### **5. Calculating the Retention Period**

When a retention period contains the acronym ACT, it means that the entire record can be destroyed once that record is no longer active. For some records, an additional number of years is added to the period for which the record is active. For example, ACT+3 means that the record is kept 3 years beyond the date the record is no longer active.

When a retention period contains the acronym CR, it means that the entire record can be destroyed based on a number of years following a defined creation date. If more than one record is retained together, the retention period for all records is generally calculated from the creation of the latest record; however, there are exceptions.

When a retention period contains the acronym EVT, it means that the entire record can be destroyed based on a set number of years following a defined event.

When a retention period contains the acronym PERM, it means that the entire record must be retained permanently. As noted previously, the record may be retained permanently in microfilm after the minimum time periods specified on pages 2 and 3.

#### **B. Retention of Non-Court Records**

Records created by the court as a result of court services provided to the jury board are to be maintained in accordance with the county's record Retention and Disposal Schedule. Payroll records created by courts that perform payroll functions for the funding unit are to be maintained in accordance with the funding unit's record Retention and Disposal Schedule.

#### **C. Disposal of Original Court Records**

For detailed information on the procedures and methods for disposing of records, see the Michigan Trial Court Case File Management Standards. Before destroying any records, first determine whether the records are to be transferred to Archives of Michigan. Any records to be transferred to Archives are identified as such under the total retention column of this schedule and in the following paragraph.

The Archives of Michigan will take responsibility for permanently preserving and providing access to the following **circuit court** records because these records possess historical significance to the state of Michigan:

1. **Before 1940:** Item 16.041A--All case types (except adoption, see item 16.051) from all counties are authorized for transfer. Courts may keep these records permanently, but if they do not want to maintain them and the records still exist on the approval date of this schedule, the records must be transferred to Archives. The records may not be destroyed.
2. **1941 to Present:** Item 16.041B--All case types must be retained for the minimum retention period of ACT+25; however, courts are encouraged to retain the records permanently themselves for historical purposes.
3. **All Years:** Judgments and orders covered by item 16.042 are to be permanently retained by the court. However, courts may contact the Archives of Michigan to request authorization to transfer the records, if they cannot fulfill their responsibility to retain the records permanently.

#### **D. Non-Record Material**

Non-record materials are listed at the end of the retention schedule. These materials do not have a required retention period and may be disposed of at the convenience of the court.

#### **E. Table of Contents**

16.001 - 16.019	Administrative and Fiscal Records (Circuit, District, Municipal, and Probate)
16.031 - 16.035	Case Records (Circuit, District, Municipal, and Probate)
16.041 - 16.073	Case Records Specific to Circuit Court
16.081 - 16.083	Case Records Specific to District Court
16.091 - 16.095	Case Records Specific to Municipal Court
16.101 - 16.112	Case Records Specific to Probate Court
16.121 - 16.125	Non-Record Materials

**State of Michigan**  
**Department of History, Arts and Libraries - Records Management**  
**Records Retention and Disposal Schedule**

DeptCode      DeptName  
/GS16/      *Michigan Trial Courts*

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.000 -	<u>ADMINISTRATIVE AND FISCAL RECORDS</u> (CIRCUIT, DISTRICT, MUNICIPAL, AND PROBATE)		
16.001 -	<u>Accounting Records</u>  Accounting records for trial courts and friend of the court offices, such as receipts (including summary receipt reports, individual receipts, and transmittal/deposit advices); disbursement records (including check registers, bank records, bank statements, bank reconciliations, and deposit slips); bond and trust records (including open bond and trust reports and bond and trust check registers); vouchers and payments (including attorney fee payments, time book of jurors/juror payments, and witness payments); requisitions, etc.	CR+6	11/08/2006
16.002 -	<u>Used Checkbooks and Cancelled Checks</u>  Unused checks are not records and should be destroyed in a manner that renders them unusable when they are no longer of use. The court should keep a record of the check numbers destroyed and the date they were destroyed; this record should be kept with the checkbooks and retained for the period specified in this records series.	CR+6	11/08/2006
16.003 -	<u>Audit Reports</u>  Financial and procedural audit reports performed by outside entities (court contracted or Treasury audits).	CR+6	11/08/2006

ACT = Active

CR = Creation

EVT = Event

PERM = Permanent

DISP = Immediate Disposal

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.004 -	<u>Personnel Files</u>	ACT+6	11/08/2006
<p>ACT = active until the date employment ends. Before files are destroyed, courts should review them to ensure no work-related injuries occurred while the person was employed by the court. If so, the files must be kept for 7 years after employment ends.</p>			
16.005 -	<u>Job Applications (hired and not hired)</u>	ACT+3	11/08/2006
<p>ACT = active until the position is filled.</p>			
16.006A -	<u>Judicial Assignments - Case-Specific</u>	ACT	11/08/2006
<p>ACT = active until the retention period for the case expires. The order of disqualification and the assignment to a specific case are filed in the case file and retained for the retention period of the case.</p>			
16.006B -	<u>Judicial Assignments - Not Case-Specific</u>	ACT+1	11/08/2009
<p>ACT = active until the assignment terminates or expires. Blanket assignment requests and the blanket assignment are retained until termination or expiration.</p>			

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.007 -	<u>Juror Personal History Questionnaires and Jury Summonses</u>	CR+3	11/08/2006
<p>The completed questionnaires must be kept on file for 3 years from the time they are filled out. [MCR 2.510(C)(3)]</p> <p>Juror Qualification Questionnaires are not court records, but if the court maintains these records for the jury board, then the court must follow the county's record retention and disposal schedule.</p>			
16.008 -	<u>Juror Panel and Pool Lists</u>	CR+3	11/08/2006
<p>First and second jury lists are not court records, but if the court maintains these records for the jury board, then the court must follow the county's record retention and disposal schedule.</p>			
16.009 -	<u>Operational Records</u>	ACT	11/08/2006
<p>This series includes records related to the functional responsibilities and operations of the courts, such as local administrative orders, internal policies and procedures, directives from judges regarding internal practices, internal and external correspondence regarding operations, minutes from staff meetings, and other similar records. ACT = active until superseded, rescinded, or of no further value.</p>			

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.010 -	<u>Non-Case Records</u>	CR+6	11/08/2006
	This series includes records that are not part of a case record series, such as applications and orders for PEN register (wiretaps), petitions and orders for investigative subpoenas, petitions and orders for discovery subpoenas for out-of-state cases, search warrants that are not placed in case files, demands for notice pursuant to MCL 700.3205 that are not placed in case files, requests for notice pursuant to MCL 700.5104 that are not placed in case files, and other similar records.		
16.011 -	<u>Marriage Records Log</u>	CR+6	11/08/2006
	An accurate record of all solemnized marriages shall be kept in a book used expressly for that purpose. [MCL 551.7(2), MCL 551.104]		
16.012 -	<u>Petitions, Orders, and Other Information Related to Authorizing Bonding Companies</u>	CR+3	11/08/2006
16.013 -	<u>Circuit Court Naturalization Proceedings</u>	CR+50	11/08/2006
		Transfer to the Archives of Michigan	
16.014 -	<u>Circuit Court Foster Home Files</u>	CR+7	11/08/2006

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.015 -	<u>Friend of the Court Grievances</u>	ACT+6	11/08/2006
	ACT = active until the youngest child in the related case reaches the age of 19 ½.		
16.016 -	<u>Probate Court Inventory of Safe Deposit Box</u>	CR+1	11/08/2006
16.017 -	<u>Probate Court Secret Marriage Files</u>	PERM	11/08/2006
16.018 -	<u>Probate Court Receipt of Return of Will to Testator</u>	PERM	11/08/2006
16.019 -	<u>Statistical Reports, Correspondence, and Calendars</u>	CR+1	11/08/2006
	This series includes caseload and delay reports, internally generated reports such as annual reports, court daily calendars, annual statutory reviews, and related correspondence.		
16.030 -	<u>CASE RECORDS (CIRCUIT, DISTRICT, MUNICIPAL, AND PROBATE)</u>		11/08/2006

ACT = Active

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EVT = Event

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DISP = Immediate Disposal

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.031A -	<u>Register of Actions</u>	PERM	11/08/2006
	Formerly called docket, case history, or journal. A register of actions is a chronological list of events in the life of a case and is required for all cases, except district court civil infractions. [MCL 600.8344 , MCR 8.203, MCR 8.119(D)(1)(c)]	Transfer to Archives if Kept Less Than Permanent	
16.031B -	<u>Register of Actions - Small Claims</u>	ACT	11/08/2006
	ACT = active until the case is destroyed. A register of actions is required in small claims cases; however, it may be destroyed at the same time as the case file. [MCL 600.8344]		
16.031C -	<u>Register of Actions - Civil Infractions</u>	ACT	11/08/2006
	ACT = active until the case is destroyed. A register of actions is not required for civil infraction cases, but if one is created for such a case, it may be destroyed at the same time as the case file. [MCL 600.8344]		
16.032A1A-	<u>Circuit Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>	CR+15	11/08/2006
	Recordings of felony cases. [MCL 600.2137(3)]		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.032A1B-	<u>Circuit and Probate Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>  Recordings of all circuit and probate court cases except felony cases. [MCL 600.2137(3)]	CR+10	11/08/2006
16.032A1C-	<u>Circuit and Probate Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>  Recordings concerning hearings for the admission of mentally ill or developmentally disabled persons or persons with contagious diseases to hospitals or places of detention. ACT = active until at least 10 years from creation or for as long as the person is in the relevant hospital or facility, whichever is longer. [MCL 600.859(3)]	ACT	11/08/2006
16.032A2A-	<u>District Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>  Recordings of all district court cases except civil infraction cases. ACT = active until entry of a judgment in a civil action, a summary proceeding, an ordinance violation case, or a criminal case. [MCL 600.8344]	ACT+6	11/08/2006
16.032A2B-	<u>District Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>  Recordings of district court civil infraction cases. ACT = active until entry of a finding in the action. [MCL 600.8344]	ACT+3	11/08/2006

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.032A3A-	<u>Municipal Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>	EVT+6	11/08/2006
	Recordings of municipal court cases arising under charter, ordinance, or regulation. EVT = from the date of filing of the complaint. [MCL 780.222]		
16.032A3B-	<u>Municipal Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>	ACT+6	11/08/2006
	Recordings of municipal court cases arising under state law. ACT = active until the date of the latest dispositive order. [MCL 780.223]		
16.032A3C-	<u>Municipal Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>	ACT+7	11/08/2006
	Recordings of municipal court civil cases in which the defendants, at the time the actions were commenced, either were Michigan residents or were not in the armed forces. ACT = active until the date of the latest dispositive order. [MCL 780.224]		
16.032A3D-	<u>Municipal Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>	ACT+10	11/08/2006
	Recordings of municipal court civil cases in which the defendants, at the time the actions were commenced, either were not Michigan residents or were in the armed forces. ACT = active until the date of the latest dispositive order. [MCL 780.224]		
16.032B -	<u>Transcribed Notes, Tapes, Recordings (video/audio/digital), Logs</u>	EVT+1	11/08/2006
	One year after a transcript of a note, tape, or recording is filed with the court, the court may order the destruction of the note, tape, or recording. The actual transcripts are filed in the case files and are maintained in accordance with the retention periods for those case files. [MCL 600.2137(3), MCL 600.8344]		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.033 -	<u>Indices</u>	PERM	11/08/2006
<p>Courts must create and maintain two types of indices: an alphabetical index and a numerical index. The alphabetical index will list names of parties to cases (or numbers) corresponding to each name. The numerical index will list case numbers in numerical order with party names corresponding to each number. All cases except district court civil infraction cases must be indexed. [MCR 8.119(D)]</p>			
16.034 -	<u>Case Evaluations</u>	CR+6	11/08/2006
<p>These records are maintained separately from case files and include case evaluations, acceptances, rejections, and awards. The retention period is based on the statute of limitations for a contract, which is 6 years. [MCR 2.403(N)(4)]</p>			
16.035 -	<u>Exhibits Offered Into Evidence</u>	EVT	11/08/2006
<p>All exhibits offered into evidence and maintained during a trial or hearing. The original of an exhibit log is placed in the case file and is maintained in accordance with the retention period for that case file. EVT = 56 days after conclusion of the trial or hearing. [MCR 2.518(B)]</p>			
16.040 -	<u>CASE RECORDS SPECIFIC TO CIRCUIT COURT</u>		11/08/2006

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.041A -	<u>Civil, Criminal, Domestic Relations, and Personal Protection Case Files--prior to 1941</u>	ACT+25	11/08/2006
	<p>ACT = active until the date of the latest dispositive order. [MCL 600.2137(4)] Courts may keep these records permanently, but if they do not want to maintain them and the records still exist on the approval date of this schedule, the records must be transferred to Archives of Michigan. The records may not be destroyed.</p>		
16.041B -	<u>Civil, Criminal, Domestic Relations, and Personal Protection Case Files--post 1941</u>	ACT+25	11/08/2006
	<p>ACT = active until the date of the latest dispositive order. [MCL 600.2137(4)] Courts are encouraged to retain the records permanently themselves for historical purposes.</p>		
16.042 -	<u>Judgments and Orders</u>	PERM	11/08/2006
	<p>Retain the latest dispositive order entered for each circuit court case except child protective cases. For each child protective case, retain the order of adjudication, the order terminating parental rights, and the order terminating jurisdiction for each child. [MCL 600.2137(4)(a), MCR 3.925(E) (3)(a)]</p>		
16.051 -	<u>Adoption-Related Records</u>	PERM	11/08/2006
	<p>This record series includes both records concerning adoption proceedings (legal and social files) and records concerning requests for adoption information.</p>		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.052 -	<u>Name Change Records</u>	PERM	11/08/2006
16.053A -	<u>Emancipation of Minors Granted Records</u>	ACT	11/08/2006
ACT = active until the date the minor becomes age 25, or sooner for good cause.			
16.053B -	<u>Emancipation of Minors Denied Records</u>	ACT	11/08/2006
ACT = active until 6 years from the date of creation, or sooner for good cause.			
16.054 -	<u>Infectious Diseases Files</u>	ACT+6	11/08/2006
ACT = active until the date of the latest court order.			
16.055 -	<u>Safe Delivery of Newborn Files</u>	ACT	11/08/2006
ACT = active until the date the child becomes age 18.			

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
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16.056 -	<u>Waiver of Parental Consent Files</u>	ACT+2	11/08/2006
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ACT = active until the date the minor becomes age 18. These files may not be microfilmed or otherwise copied. [MCR 3.615(B)(4)]

16.057A -	<u>Juvenile Delinquency Files - Petition Diverted, Petition not Authorized</u>	ACT	11/08/2006
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These files include both petitions that are diverted and petitions that are not authorized for other reasons. ACT = active until the date the minor becomes age 17, and not more than 28 days after that date, or sooner for good cause. [MCR 3.925(E)(1),(2)(a)]

16.057B -	<u>Juvenile Delinquency Files - Consent Calendar (Legal and Social Files)</u>	ACT	11/08/2006
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ACT = active until the date the juvenile becomes age 17, and not more than 28 days after that date, or until dismissal from court supervision, whichever is later, unless the juvenile subsequently comes within the jurisdiction of the court on the formal calendar, or sooner for good cause. [MCR 3.925(E)(1), (2)(b)]

If a case on the formal calendar is transferred to the consent calendar, the register of actions created for the formal calendar must be maintained permanently.

Even though the legal and social file will have identical retention periods, it is important to maintain the files in such a way as to preserve the social file's confidentiality. The legal file will typically include authorized petitions, requests for counsel, requests for appeal, notices, summonses, subpoenas, service of process, abstracts, and orders. The social file is defined in MCR 3.903(A)(3)(b).

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
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16.057C -	<u>Juvenile Delinquency Files, Traffic/Ordinance Files, and Personal Protection Files (Legal and Social Files)</u>	ACT	11/08/2006
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ACT = active until either: 1) the date the person becomes age 30; or 2) sooner for good cause, provided the adjudication of the petition is not for an offense described in MCL 712A.18e(2). This includes files of proceedings where the court did not take jurisdiction after authorizing a petition. [MCR 3.925(E)(1), (2)(c), (d)]

When an adjudication is set aside in a case heard on the formal calendar, the record must be maintained as a nonpublic record and may not be destroyed until the full retention period has expired, or sooner for good cause.

When the court destroys its files regarding a juvenile proceeding on the formal calendar, it shall retain the register of actions, and, if the information is not included in the register of actions, whether the juvenile was represented by an attorney or waived representation.

Even though the legal and social file will have identical retention periods, it is important to maintain the files in such a way as to preserve the social file's confidentiality. The legal file will typically include authorized petitions, requests for counsel, requests for appeal, notices, summonses, subpoenas, service of process, abstracts, and orders. The social file is defined in MCR 3.903(A)(3)(b).

16.058A -	<u>Child Protective Files - Petition Referred/Not Authorized</u>	ACT	11/08/2006
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ACT = active until the date the minor becomes age 18, or sooner for good cause. [MCR 3.925 (E) (1), (3) (a)]

ACT = Active

CR = Creation

EVT = Event

PERM = Permanent

DISP = Immediate Disposal

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
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16.058B -	<u>Child Protective Files - Petition Authorized (Legal and Social Files)</u>	ACT+25	11/08/2006
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ACT = active until jurisdiction over the child ends, except that where records on more than one child in a family are retained in the same file, destruction is not allowed until 25 years after jurisdiction over the last child ends. This includes files of proceedings where the court did not take jurisdiction after authorizing a petition. [MCR 3.925(E)(1), (3)(a)]

Even though the legal and social file will have identical retention periods, it is important to maintain the files in such a way as to preserve the social file's confidentiality. The legal file will typically include authorized petitions, requests for counsel, requests for appeal, notices, summonses, subpoenas, service of process, admitted findings and recommendations of the Foster Care Review Board, abstracts, and orders. The social file is defined in MCR 3.903(A)(3)(b).

16.059 -	<u>Designated Cases</u>	ACT+25	11/08/2006
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ACT = active until the date of the latest dispositive order. [MCR 600.2137(4)]

16.071A -	<u>Friend of the Court Support Records (Arrearage)</u>	ACT+10	11/08/2006
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This record series includes support files and support payment records where there is an arrearage. Support payment records are the compilation of accounting records (ledgers and account records) rather than accounting records (cancelled checks, receipts, etc.).

ACT = when an arrearage is reflected on the support records, active until 10 years after the obligation to pay support ends and the case has been administratively closed. Friend of the court copies of records contained in the court's case file may be destroyed 1 year after the friend of the court case is administratively closed. [MCL 600.5809]

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.071B -	<u>Friend of the Court Support Payment Records (No Arrearage)</u>	ACT+6	11/08/2006
<p>This record series includes support payment records where there is no arrearage. Support payment records are the compilation of accounting records (ledgers and account records) as opposed to the accounting records themselves (cancelled checks, receipts, etc.).</p> <p>ACT = when no arrearage is reflected on the support records, active until 6 years after the obligation to pay support ends. [MCL 600.5809]</p>			
16.071C -	<u>Friend of the Court Support Records (No Arrearage)</u>	ACT+1	11/08/2006
<p>This record series includes all support records, except payment records, where there is no arrearage.</p> <p>ACT = when no arrearage is reflected on the support records, active until 1 year after the obligation to pay support ends and the case has been administratively closed, provided notice has been sent to parties advising them of the administrative closing and intent to destroy the file.</p>			
16.072 -	<u>Friend of the Court Mediation Records</u>	ACT+6	11/08/2006
<p>ACT = active until mediation concludes. [MCL 600.5807(8)]</p>			
16.073 -	<u>Friend of the Court Nonsupport Records</u>	ACT+6	11/08/2006
<p>This record series includes all nonsupport records. ACT = active until the youngest child emancipates. [MCL 600.5807(8)] Emancipation includes other termination events such as death of a child or parent.</p>			

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.080 -	<u>CASE RECORDS SPECIFIC TO DISTRICT COURT</u>		11/08/2006
16.081A -	<u>Civil Infraction Case Files - Satisfied Judgment</u>	ACT+3	11/08/2006
	This record series includes traffic and nontraffic civil infraction (including parking) cases in which a judgment was rendered and satisfied or that have been dismissed. ACT = active until the date of the latest dispositive order. [MCL 600.8344]		
16.081B -	<u>Civil Infraction Case Files - Unsatisfied Judgment</u>	ACT	11/08/2006
	This record series includes traffic and nontraffic civil infraction (including parking) cases in which a judgment was rendered, but that remain unsatisfied. ACT = active until 3 years after the date of the latest dispositive order, or until the suspension is purged from the Secretary of State, whichever is later. [MCL 257.321a]		
16.082 -	<u>Case Files (except civil infraction and parking)</u>	ACT+6	11/08/2006
	This record series includes all cases except civil infraction (including parking) cases. ACT = active until the date of the latest dispositive order. [MCL 600.8344]		
	Although court files may be destroyed after 6 years, the statute of limitations for noncontractual money judgments from a court of record is 10 years. [MCL 600.5809(3)]. However, actions to collect against a judgment arising from a case that has been destroyed is allowable under MCL 600.8344.		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
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16.083 -	<u>Probation Files and Presentence Reports</u>	ACT+3	11/08/2006
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ACT = active until discharge from probation or until date of sentencing if not placed on probation.

16.090 -	<u>CASE RECORDS SPECIFIC TO MUNICIPAL COURT</u>		11/08/2006
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16.091 -	<u>Cases Arising Under Charter, Ordinance, or Regulation</u>	ACT+6	11/08/2006
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This record series includes all files and papers relating to prosecutions for offenses arising under the charter, or any ordinance or regulation of any city in any municipal court. ACT = from the date of filing of the complaint, unless otherwise ordered by the court. [MCL 780.222]

16.092 -	<u>Cases Arising Under State Law</u>	ACT+6	11/08/2006
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This record series includes all files and papers relating to prosecutions for offenses arising under any law of this state in any municipal court. ACT = active until the date of the latest dispositive order. [MCL 780.223]

16.093 -	<u>Civil Cases - Michigan Resident or Not in Armed Forces</u>	ACT+7	11/08/2006
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ACT = active until the date of the latest dispositive order in a civil case in which the defendant, at the time the action was commenced, was a Michigan resident or was not in the armed forces. [MCL 780.224]

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.094 -	<u>Civil Cases - In Armed Forces or Not a Michigan Resident</u>	ACT+10	11/08/2006
	ACT = active until the date of the latest dispositive order in a civil case in which the defendant, at the time the action was commenced, was not a Michigan resident or was in the armed forces. [MCL 780.224]		
16.095 -	<u>Probation Files and Presentence Reports</u>	ACT+3	11/08/2006
	ACT = active until discharged from probation or until date of sentencing if not placed on probation.		
16.100 -	<u>CASE RECORDS SPECIFIC TO PROBATE COURT</u>		11/08/2006
16.101 -	<u>Conservatorship Files</u>	PERM	11/08/2006
16.102 -	<u>Estate Files</u>	PERM	11/08/2006
		Transfer to Archives if Kept Less Than Permanent	
16.103 -	<u>Guardianship Files</u>	PERM	11/08/2006
	This record series includes guardianship files for developmentally disabled persons, legally incapacitated individuals, and minors.		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.104 -	<u>Mental Health Code Proceedings Files</u>	PERM	11/08/2006
	This record series includes files on judicial admission and involuntary commitment.		
16.105 -	<u>Trust Files</u>	PERM	11/08/2006
	This record series includes files on testamentary and inter vivos trusts.		
16.106 -	<u>Wills Delivered After Death of Testator</u>	PERM	11/08/2006
		Transfer to Archives if Kept Less Than Permanent	
16.107 -	<u>Wills Filed for Safekeeping</u>	PERM	11/08/2006
		Transfer to Archives if Kept Less Than Permanent	
	These records should not be microfilmed until they are opened for purposes of probating the will or in cases in which the testator died but an estate was not opened.		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.108 -	<u>Miscellaneous Proceedings Files</u>	ACT+25	11/08/2006
		Transfer to the Archives of Michigan	
	This record series includes, but is not limited to records concerning Soldiers and Sailors Relief Commission, Tax Allocation Board, State Boundary Commission, Poor Persons Act, Bonds for Railway Survey, Election Commission, filling of vacancies in certain offices, lost instruments, kidney donations, Uniform Gift to Minors Act, appeals of denial of delayed registration of birth, appeals of adoption subsidy determination, appeals of financial liability re-determination by Community Health, and appeals in drain proceedings. ACT = active until the date of the latest dispositive order.		
16.109 -	<u>Acknowledgments of Paternity</u>	PERM	11/08/2006
		Transfer to Archives if Kept Less Than Permanent	
	These records are no longer processed in many probate courts; however, it is necessary for probate courts to retain their old records permanently.		
16.110 -	<u>Libers of Orders</u>	PERM	11/08/2006
		Transfer to Archives if Kept Less Than Permanent	
	These records are no longer processed in many probate courts; however, it is necessary for probate courts to retain their old records permanently.		
16.111 -	<u>Condemnation Proceedings Files</u>	PERM	11/08/2006
		Transfer to Archives if Kept Less Than Permanent	
	These records are no longer processed in many probate courts; however, it is necessary for probate courts to retain their old records permanently.		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.112 -	<u>Obsolete Probate Records</u>	DISP	11/08/2006
	Records regarding abstracts of taxable inheritance, afflicted adult files, crippled or afflicted children, custodian files, mother's pension files, power of attorney records, and sterilization are no longer maintained by the probate court. DISP = These records may be disposed of after proper notification to the Archives of Michigan.		Transfer to the Archives of Michigan
16.120 -	<u>NON-RECORD MATERIALS</u>		11/08/2006
16.121 -	<u>Copies/Duplicates</u>	ACT	11/08/2006
	Extra copies of correspondence and other documents preserved only for reference, such as reading, tickler, or follow-up files; employee time sheets and other payroll records; copies of documents maintained in the same office; and outdated copies of printed or processed materials of which official copies have been retained for record purposes. ACT = active until of no further reference value.		
16.122 -	<u>Personal Records</u>	ACT	11/08/2006
	Materials neither made nor received pursuant to statute nor in connection with the functional responsibilities of the office, such as privately purchased material or correspondence of a personal nature kept at the office for convenience, notice of employee meetings, etc. ACT = active until of no further reference value.		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
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16.123 -      Drafts and Informational Items      ACT      11/08/2006

Preliminary drafts of letters, preliminary reports (including printouts of database queries\* and other preliminary information used to assist in preparing reports), data provided in response to a public query that has no value-added information (electronic or paper)\*\*, and memoranda that do not represent significant basic steps in preparing records. ACT = active until of no further reference value.

\*A record created by accessing a database can be destroyed at the convenience of the court provided the record can be regenerated in its original form and the retention requirements for the database meet or exceed the retention period for the record that is created.

\*\*While data provided in response to a public query is considered a non-record, there are instances where the court may want to keep the information for at least 1 year.

16.124 -      Routing Slips      ACT      11/08/2006

Routing and other interdepartmental records that do not add any significant information about the activity concerned. ACT = active until of no further reference value.

16.125 -      Reference Materials for Case Files      ACT      11/08/2006

LEIN records, warrant information, driving records, mental health records, victim information, fingerprints, and other similar records that are filed with the court for use with specific cases, but which are not part of the court record. ACT = active until of no further reference value.